

FILED

SEP 08 2008

JEFFREY JEROME BLAN V-82054
P.O. BOX 950
FOLSOM, CA. 95763
(IN PRO PER)

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY JEROME BLAN,)	Case No.: No. C 07-5781 CRB (PR)
)	
Petitioner,)	MOTION FOR ENLARGEMENT OF TIME AND
)	FOR THE APPOINTMENT OF COUNSEL
)	
v.)	Hon. Charles R. Breyer
)	U.S. District Court Judge
M C KRAMER, Warden,)	
)	
Respondent)	
)	
On Habeas Corpus.)	

TO THE HONORABLE UNITED STATES DISTRICT JUDGE CHARLES R. BREYER:

PETITIONER, JEFFREY JEROME BLAN, hereby submits this Motion requesting both a 90 day enlargement of time with which to file his intended Traverse in the above matter, and he also requests the appointment of counsel to assist him with these proceedings.

These requests are based on the following facts:

The Court has granted Petitioner until September 4, 2008, in which to file any intended Travers in response to respondent's Answer to the Petition for Writ of Habeas Corpus filed in this matter.

Petitioner, up until approximately 2 ½ weeks ago, had the assistance of a prison legal assistant ("jailhouse lawyer"), who, unexpectedly, was

1 transferred without any notice, either to the "hole" or to an "out-of-state"
2 prison per the Governor's emergency overcrowding directive.

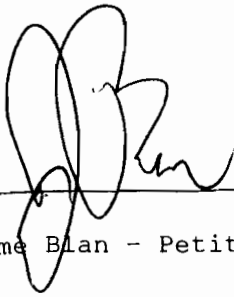
3 Not only is Petitioner without any assistance at this time, but when
4 his "jailhouse lawyer" was transferred, his property, including al of
5 Petitioner's pleadings in both the State and federal courts, were transferred
6 with his legal assistant! Petitioner now has no legal papers and needs time
7 to contact his former appointed deputy public defender and his former
8 appointed appellate counsel in order to attempt to obtain copies of these
9 crucial documents and pleadings.

10 Petitioner knows nothing about the law and as such he has no idea on
11 what to do next. Therefore, Petitioner requests that the Court appoint him
12 counsel in this matter and stay these proceedings until and at such time that
13 counsel may review his file, obtain the missing documents and file any
14 amended pleading as necessary in the interests of justice and due process,
15 or, in the alternative, grant him a minimum of 90 days so that he may find
16 someone to help him.

17 The claims that Petitioner filed in his Habeas Petition are potentially
18 meritorious and contain an affidavit from his former trial counsel admitting
19 to acting ineffectively, therefore counsel should now be appointed as
20 Petitioner's claims for relief are strong and with merit.

21 Respectfully submitted,

22 Dated this 24th day of August, 2008
23
24
25


Jeffrey Jerome Blan - Petitioner in Pro Se

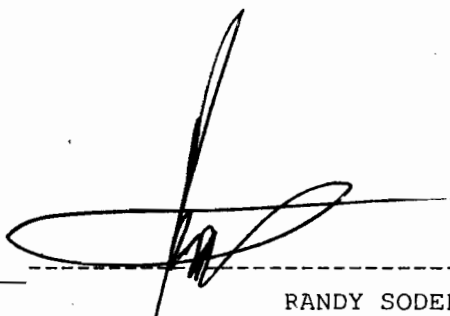
DECLARATION OF SERVICE

I, RANDY LEE SODERSTROM, hereby declare that I am not a party to this action, and on August 24, 2008, I personally handed to a corrections officer at Folsom State Prison a copy of MOTION FOR ENLARGEMENT OF TIME and REQUEST FOR COUNSEL, for deposit into the United States Mail, postage thereupon fully pre-paid, addressed to: DEPARTMENT OF JUSTICE / ATTN: LISA H. ASHLEY OTT / 455 GOLDEN GATE AVE. / STE-11000 / SAN FRANCISCO, CA. 94102-7004.

The facts as stated above and herein are true and correct under the penalty for perjury of the laws of the State of California.

DATE: AUGUST 24, 2008

Sincerely,

A handwritten signature in black ink, appearing to be 'Randy Soderstrom', is written over a horizontal line. The signature is stylized with a large loop and a vertical stroke.

RANDY SODERSTROM - DECLARANT

Folsom State Prison
P.O. Box 715071
Represa, CA 95671

NAME: Blaw / Kelly

CDCR#: V82054 Bldg/Bed: 5-A2-37

STATE PRISON
GENERATED MAIL

ADDRESS TO:
P.O. BOX 715071 Letter, Photos
P.O. BOX 1790 Money Orders only
P.O. BOX 950 Legal Mail only.

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United States District Court
Northern District of California
Terry
450 455
Attn: Clerk: Hon. Charles R. Breyer
Golden Gate Ave
San Francisco, CA 94102

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